

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER**DO NOT WRITE IN THIS SPACE**Case
03-CA-285671Date Filed
11/4/2021**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Starbucks Corporation		b. Tel. No. 206-318-2212
		c. Cell No.
		f. Fax. No.
d. Address (<i>Street, city, state, and ZIP code</i>) 2401 Utah Avenue South, Suite 800 Seattle, WA 98134 (see attached for Buffalo-area location addresses)	e. Employer Representative Kevin Johnson, President and CEO	g. e-mail kevin.johnson@starbucks.com
		h. Number of workers employed Approx. 530
i. Type of Establishment (<i>factory, mine, wholesaler, etc.</i>) Coffee shop	j. Identify principal product or service Food and beverage	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (*set forth a clear and concise statement of the facts constituting the alleged unfair labor practices*)

Since in or around August 2021, Starbucks has responded to union organizing efforts by partners in the Buffalo area by engaging in a campaign of threats, intimidation, surveillance, solicitation of grievances, and the closing of facilities, among other conduct.

3. Full name of party filing charge (*if labor organization, give full name, including local name and number*)
Workers United

4a. Address (<i>Street and number, city, state, and ZIP code</i>) 2954 Main Street, Suite 556 Buffalo, NY 14214	4b. Tel. No. 585-473-3280
	4c. Cell No.
	4d. Fax No.
	4e. e-mail gbonadonnajr@rrjb.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (*to be filled in when charge is filed by a labor organization*)
Workers United, affiliated with SEIU**6. DECLARATION**

I declare that I have read the above charge and that the statements
are true to the best of my knowledge and belief.

/s/ Michelle Eisen

Partner

(signature of representative or person making charge)

(Print/type name and title or office, if any)

2495 Main St., Suite 556

Address Buffalo, NY 14214

Date Nov 4, 2021

Tel. No.
808-436-7455

Office, if any, Cell No.

Fax No.

e-mail
sbworkersunited@gmail.com**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Attachment to Unfair Labor Practice charge against Starbucks Corporation

1(d) – Employer location

Buffalo-area Starbucks Corporation locations:

520 Lee Entrance, Amherst, NY 14228
1703 Niagara Falls Boulevard, Amherst, NY 14226
8100 Transit Road Suite 100, Williamsville, NY 14221
933 Elmwood Avenue, Buffalo, NY 14222
235 Delaware Avenue, Buffalo, NY 14202
3540 McKinley Parkway, Blasdell, NY 14219
4770 Transit Road, Depew, NY 14043
2730 Delaware Avenue, Buffalo, NY 14216
5395-5495 Sheridan Drive, Amherst, NY 14221
9660 Transit Road 101, Amherst, NY 14221
4243 Genesee Street, Cheektowaga, NY 14225
3235 Southwestern Boulevard, Orchard Park, NY 14127
5120 Camp Road, Hamburg, NY 14075
5429 Main Street, Williamsville, NY 14221
1 Walden Avenue #K-04, Cheektowaga, NY 14225
1775 Walden Avenue, Suite 500, Cheektowaga, NY 14225
6690 Niagara Falls Boulevard, 100, Niagara Falls, NY 14304
6703-6733 Transit Road, Buffalo, NY 14221
3220 Sheridan Drive, Amherst, NY 14226
3015 Niagara Falls Boulevard, Amherst, NY 14228



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 3
130 S Elmwood Ave Ste 630
Buffalo, NY 14202-2465

Agency Website: www.nlr.gov
Telephone: (716)551-4931
Fax: (716)551-4972



Download
NLRB
Mobile App

November 4, 2021

Alan I. Model, ESQ.
Littler Mendelson, P.C.
One Newark Center
1085 Raymond Blvd., 8th Floor
Newark, NJ 07102-5235

Re: Starbucks Corporation
Case 03-CA-285671

Dear Mr Model:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner THOMAS A. MILLER whose telephone number is (716)398-7004. If this Board agent is not available, you may contact Regional Attorney LINDA M. LESLIE whose telephone number is (716)398-7017.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be

considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlr.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Nancy Wilson", is centered below the closing. The signature is fluid and cursive.

NANCY WILSON
Acting Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 3
130 S Elmwood Ave Ste 630
Buffalo, NY 14202-2465

Agency Website: www.nlr.gov
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Download
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Mobile App

November 4, 2021

Michelle Eisen, Partner
Workers United
2954 Main Street, Suite 556
Buffalo, NY 14214

Re: Starbucks Corporation
Case 03-CA-285671

Dear Ms. Eisen:

The charge that you filed in this case on November 04, 2021 has been docketed as case number 03-CA-285671. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner THOMAS A. MILLER whose telephone number is (716)398-7004. If this Board agent is not available, you may contact Regional Attorney LINDA M. LESLIE whose telephone number is (716)398-7017.

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Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

November 4, 2021

Very truly yours,

A handwritten signature in dark ink, appearing to read "Nancy Wilson". The signature is fluid and cursive, with the first name "Nancy" and last name "Wilson" clearly distinguishable.

NANCY WILSON
Acting Regional Director